

**Response to FCC Public Notice DA 19-40 dated February 4, 2019, Regarding MB Docket No. 11-43.**

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The below comment is written by a technically-minded individual whose primary method for television consumption is through local affiliates via the antenna, IP services, or VOD platforms, so has limited access to nonbroadcast networks or MVPDs .

**Type and amount.** Apart from the mandated children programming, the only programs to have Video Description tracks on national broadcast networks, i.e., ABC, CBS, FOX, and NBC, are all during the prime time slot, as current programs already exceed the increased requirement of 87.5 hours per quarter. For FOX and ABC, the top two broadcast networks with the highest amount of Video-Described content, programs with VD range from sitcoms such as American Housewife or Bob's Burgers, to dramas such as For the People or Empire, but can also include game shows such as Match Game or The Masked Singer.

For children programming, The entire lineup of Educational and Informational Programming (EIP) from Litton are Video-Described if the affiliate passes it through. This includes English VD for Litton's Weekend Adventure (ABC), CBS Dream Team, It's Epic! (CBS), One Magnificent Morning (The CW), The More You Know (NBC), and Go Time!; and Spanish VD for My Telemundo. In particular, the CW affiliates as well as those carrying the Go Time! block should be commended for voluntarily passing through the VD tracks on secondary audio when not mandated to do so.

As prime time programming already exceeds the mandated target, there is currently no need for an affiliate of a national broadcast network to have additional programming with VD, though it should be noted that, as far as I know, most syndication distributors either (1) do not have the VD tracks in the delivery specification or (2) is providing foreign language audio tracks instead. For example, my local IND affiliate airs reruns of Chicago P.D., but there is only a duplication of the main audio stream rather than Vd, however Blue Bloods airs with Spanish dubbing. Note that the IND affiliate passes through all secondary audio services so it is not due to a technical fault, and unless there's a format change, Chicago P.D.'s VD tracks were already produced by the national broadcast network.

Other national broadcast networks such as ION, for example, may have had VD included in the delivery specification of some programming, however there have been no efforts made to pass them through—seven out of the ten programs in their lineup have VD tracks already produced in their original run. This is particularly disappointing since they already have a secondary audio stream which just duplicates the main audio stream—assume this is due to the audio text crawl mandate.

**Consumer use and benefits.** In our household, I am the primary user of VD, though my sighted brother enjoys having it on even when I am not watching a program with him. This allows him to take his eyes off the television when doing other things and still know what is going on. My parents, whose primary language is not English, has the additional benefit of knowing which details to focus on when we watch a program with VD together, and the narration can also help them to more clearly understand the plot or story. When VD exists for a program, we will always prefer to have it on when I am consuming content, and my brother prefers to have it on whenever it exists.

Unfortunately, there are no accurate methods of determining which program will have VD for the mandated national broadcast networks. While all mandated television broadcast networks have a reference and/or schedule of some kind—reference being a list of shows that have a VD track and schedule being a separate schedule of just programming with VD—they may not be updated in a timely manner. Some networks (such as NBC) also list programming with VD in an indicator in their main schedule. Aggregate television listing providers (such as Zap2it) may also have a VD indicator, but there may be false positives or negatives.

Here were my notes for each network's reference or schedule for the Fall 2018 season, compiled throughout the first week:

- ABC: Between 9/26/18 (We) and 9/27/18 (Th), the reference has been updated for the 2018/2019 season.
- CBS: Between 9/24/18 (Mo) and 9/27/18 (Th), the reference has been updated for the 2018/2019 season. The schedule is still unchanged, though if this is anything like last time, it may take a few months for updates to occur.
- FOX: As of 9/27/18 (Th), the reference has yet to be updated for the 2018/2019 season, and though it's at the footer of the website, I doubt it will be updated any time soon.
- NBC: As of 9/27/18 (Th), the phone reference has yet to be updated with current listings, but the main schedule is up-to-date

As you can tell from the notes above, all the national broadcast networks had some delays in updating their references or schedules until a few days after the start of the Fall 2018 season. I believe there is a visual indicator before the start of a program that has VD, so it would be appreciated if the broadcast networks would consider developing an audio equivalent for consumers who cannot see such indicators for future implementation.

As far as transmitting multiple secondary services is concerned, both the ATSC Digital Television Standard (ATSC A/53) and the cable industry standard (SCTE 54) already allow for more than two elementary streams. The only broadcaster to date that takes advantage of this is PBS, where they have one main audio service and two associated services (i.e. Video Description and Spanish dubbing). In fact, not only does the primary PBS sub-channel have more than one associated service, but the other channels in the multiplex can also contain more

than one associated service (e.g. Create which has both VD and Spanish dubbing, and PBS Kids which has only Spanish dubbing). For WPBT in Miami, both VD and Spanish-dubbing associated services were successfully received Over-The-Air and through the XFINITY Digital Cable TV Service for the main PBS channel.

**Additional market areas.** As of December 2015, since the mandate to pass through readouts of text crawls (47 CFR § 79.2), all affiliates regardless of market size now have secondary audio, so in theory, passing through Network SAP should not be an undue burden on these affiliates providing this service is passed through by the national broadcast networks. However because consumers are not aware of what is involved in passing through VD, or affiliates are not aware of who provides these secondary audio services, requests for Network SAP passthrough for affiliates not in the top 60 television markets anecdotally have gone unanswered or rejected due to it not being specifically mandated.

**Video-On-Demand.** To date, the only national broadcast network that passes VD through their VOD platform is ABC. Technical implementation of this is done via the "public.accessibility.describes-video" media characteristics tag which limits VD to just Apple devices (e.g. iPhone, iPad, Mac). There is no setting to enable this through the player controls, however having VD through VOD for some devices is far preferable to none, and ABC should be commended for voluntarily providing and implementing this service for their visually impaired viewers.

**Other issues.** There is no mechanism for visually impaired consumers to have an input on what should be Video-Described by any broadcast network. For example, while some game shows or competitions do benefit from VD, there are some programs that do not have enough time for a VD provider to convey useful information. This is, of course, a subjective opinion, but I believe that providing VD to more inherently visual programs (such as programs from the sci-fi/fantasy genre or dance competitions) would be more beneficial over programming with little or no room for VD. Also, as secondary audio streams have been primarily stereo through local affiliates (48kHz, 192kbps, stereo) ever since the digital television transition, it would be more an immersive experience if VD and Spanish-dubbed content were accordingly in stereo, or encode content with the Dolby Pro Logic II matrix like the stereo audio stream(s) on a DVD.

Because the contact information to report closed captioning problems can also apply to VD, the VPD database on the FCC site should formally be made available for users of VD as well. Also, most VPDs only provide local affiliate contacts for both immediate concerns as well as compliance with the rules. While this is great for immediate concerns such as a local technical glitch that the engineering department can solve, there are sometimes nation-wide issues that is the fault of the national broadcaster or the VD or CC-provider, making it quite difficult for a consumer to reach the proper party involved with quality assurance of these services.

Just as this committee is concerned with VD through VOD or IP platforms, it should be noted that the majority of Video-Described programming do not have such services when released on home media, whether DVD, Blu-ray, or other digital formats. This means that if the consumer was unable to watch a program with VD when broadcasted on television, they generally have no

recourse for watching with VD through a VOD or IP provider, home media release , or when syndicated on another network, limiting VD to just the original and (possibly) repeated airings on the original national broadcast network, and if they have access to it, syndication on *some* nonbroadcast networks such as USA or TNT.